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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

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11 DANIEL JOHN MALONE, } Case No. EDCV 08-0602-R (JTL)  
12 Petitioner, } JUDGMENT  
13 v. }  
14 JAMES A. YATES, Warden, }  
15 Respondent. }  
16

17 In accordance with the Report and Recommendation of the United States Magistrate  
18 Judge filed concurrently herewith,

19 IT IS HEREBY ADJUDGED that the First Amended Petition for Writ of Habeas Corpus  
20 is denied and this action is dismissed with prejudice.

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24 DATED: April 2, 2009

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MANUEL L. REAL  
UNITED STATES DISTRICT JUDGE